IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE NINTH DAY OF JULY
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

-

WRIT PETITION NO : 9327 of 2004

Between:

Santhi Professional Educational Society, Rep. by its President,

Smt. M. Savithri, W/o. B.M.V.S. Rama Raju, aged about 40 Yrs,

54-12-61, Bhanunagar, H.B. Colony, Visakhaptanam.

..... PETITIONER

AND

1. The Secretary, Govt. of India, Department of Secondary Higher Education, Ministry of Human Research Development,

Sastri Bhavan, New Delhi.
2. The Government of A.P., Rep. by its Secretary, Department of Secondary Higher Education, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, or order or direction particularly in the nature of Writ of Mandmaus declaring the action of the respondent No.1 not considering the recommendation made by the 2nd respondent for sanction of grant-in-aid to the petitioner's organization is illegal and arbitrary and consequently to direct the respondent No.1 to consider the petitioner's project proposals under the scheme of strengthening of Boarding and Hostel facilities to the Girl students.

Counsel for the Petitioner : MRS.P.PADMAVATHI, Advocate

Counsel for the Respondent No.1: Mr. A.RAJASEKHARA REDDY, SC for CG

Counsel for the Respondent No.2: GP FOR SECONDARY EDUCATION

The Court at the admission stage made the following :

ORDER:

The writ petition is filed seeking direction to the first respondent to consider the recommendation made by the 2nd respondent for sanction of grant-in-aid to the petitioner-Organization under the scheme of 'Strengthening of Boarding and Hostel facilities to the Girl students'.

The case of the petitioner is that the petitioner is a registered Non Governmental Organisation working for the upliftment of needy people particularly women by way of providing education, health and hostel facilities to them. A project proposal of the petitioner-Organisation requesting to sanction grant-in-aid to strengthen the girls hostels was submitted to the first respondent and the same was scrutinized by the District Collector, Visakhapatnam and the District Collector forwarded the same to the second respondent requesting to recommend the case of the petitioner to the first respondent. The second respondent in turn forwarded the proposals to the first respondent for sanction of grant-in-aid to the petitioner under the scheme. But the first respondent did not choose to consider the case of the petitioner. It is further submitted that for the similar relief sought, this Court passed orders in W.P. No.5790 of 2001 directing the respondents to consider the case of the petitioner in that writ petition, and the same relief may be granted to the present writ petitioner.

Heard the learned counsel for the petitioner and the learned Government Pleader for Secondary Education.

In this case, the District Collector, Visakhapatnam submitted the petitioner's project proposal to the 2nd respondent on 07.02.2003 and that the second respondent after scrutiny forwarded the same to the first respondent on 28.2.2003. According to the petitioner, so far no order is communicated to the petitioner.

In view of the said facts and following the Order in W.P. No.5790 of 2001 dated 06.11.2001, I deem it appropriate to dispose of the present writ petition with a

direction to the first respondent as follows:

The first respondent shall consider the recommendation made by the second respondent for sanction of grant-in-aid to the petitioner-Organisation under the scheme of 'Strengthening of Board and Hostel facilities to the Girl students' and pass appropriate orders thereon in accordance with law within a period of eight weeks from the date of receipt of a copy of this order. No costs.

_____

N.V. RAMANA, J.

09th July, 2004.

YS

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1. The Secretary, Govt. of India, Department of Secondary Higher Education, Ministry of Human Research Development,

Sastri Bhavan, New Delhi.
2. The Government of A.P., Rep. by its Secretary, Department of Secondary Higher Education, Secretariat, Hyderabad.

3. Two CCs to the Government Pleader for Secondary Education,

High Court Buildings, Hyderabad. (O.U.T)

4. Two CD copies.